

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN WAYS, JR.,
FRANK FIROZ,
CHRISTIAN FIROZ,
RHONDA DECAMP,
CONSTANCE HAGELSTEIN,
JOSHUA WELLBORN,
ALAN DAVIS,
MARK COONEY,
MICHAEL BLACKSTONE,
DAVID ROBERTS,

Defendants.

8:12CR391

ORDER

This matter is before the court on the motion of defendant Constance Hagelstein (Hagelstein) for an extension of the pretrial motion deadline (Filing No. 111). Hagelstein has filed an affidavit wherein she agrees to the motion and understands the time for motion may be excluded under the computations under the Speedy Trial Act (Filing No. 112). The motion will be granted.

IT IS ORDERED:

1. Hagelstein's motion for an extension of time (Filing No. 111) is granted.
2. Hagelstein is given until **February 22, 2013**, in which to file pretrial motions.

The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the time between **January 22, 2013, and February 22, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(A) & (B).

Dated this 22nd day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge